



*Transmitted Via Electronic Mail*

November 20, 2012

U.S. Environmental Protection Agency, Region II  
Emergency and Remedial Response Division  
290 Broadway, 19<sup>th</sup> Floor, Room W-20  
New York, NY 10007-1866  
Attn: Alice Yeh

**Re: Monthly Progress Report No. 13  
Combined Sewer Overflow/Stormwater Outfall Investigation  
Diamond Alkali Superfund Site (Lower Passaic River Study Area)**

Dear Ms. Yeh:

Submitted herein is the Monthly Progress Report for work performed as part of the Combined Sewer Overflow/Stormwater Outfall Investigation for the Diamond Alkali Superfund Site (Lower Passaic River Study Area). This progress report has been prepared pursuant to Section IX Paragraph 53 of the Administrative Settlement Agreement and Order on Consent between the U.S. Environmental Protection Agency and Occidental Chemical Corporation, Index No. CERCLA-02-2011-2016.

If you have any questions, please call me at 732.246.5851.

Sincerely,

**Tierra Solutions, Inc.**

Paul Brzozowski  
Remediation Manager  
On behalf of Occidental Chemical Corporation  
(as successor to Diamond Shamrock Chemicals Company)

cc: Carol E. Dinkins, Vinson & Elkins  
Willard Potter, de maximis, inc.  
Karyllan Dodson Mack, K&L Gates

CSO-SWO\_Investigation\_Monthly\_Report\_No\_13.docx

**10th Floor**

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**MONTHLY PROGRESS REPORT NO. 13**  
**COMBINED SEWER OVERFLOW/STORMWATER OUTFALL INVESTIGATION**  
**DIAMOND ALKALI SUPERFUND SITE (LOWER PASSAIC RIVER STUDY AREA)**  
**WORK PERIOD: OCTOBER 2012**

**Actions Taken Towards Achieving Compliance with the Order**

- ☐ Tierra coordinated with Groundwater Treatment and Technology (GWTT) to continue modifications to the sample collection system and trailer.
- ☐ Tierra coordinated with the U.S. Environmental Protection Agency (USEPA) and the Passaic Valley Sewerage Commissioners (PVSC) to obtain permission to return effluent to the sample collection manhole. Tierra has also continued to coordinate with the New Jersey Department of Environmental Protection (NJDEP) regarding their approval to return effluent to the sample collection manhole and, while the NJDEP indicates that no permit is necessary, Tierra still awaits a letter confirming this policy.
- ☐ Tierra submitted the Brooks Rand Laboratory Audit Report to the USEPA on October 11, 2012.

**USEPA and Other Information/Correspondence Received**

- ☐ Tierra received additional comments on the Combined Sewer Overflow/Stormwater Outfall Investigation Quality Assurance Project Plan (CSO/SWO Investigation QAPP) – Lower Passaic River Study Area, Revision 1, May 2011, Addendum issued June 2012 from the USEPA on October 3, 2012.

**Sampling or Testing Results Received or Generated During the Course of Implementing the Work**

- ☐ None during this reporting period.

**Future Plans, Actions and Data Scheduled for November and December 2012**

- ☐ Complete and distribute communication protocol for sampling activities (estimate early November 2012).
- ☐ Complete memorandum documenting the sample collection system and trailer field demonstration and laboratory low solids mass sample separation demonstration at Test America in Burlington, VT (estimate early November 2012).
- ☐ Complete the verification of the general filtration 0.5 micrometer wound filter cartridge (part No. G0.5A4A) used in the secondary separation procedure for low solids mass. Verification of this part number will be documented in the memorandum describing the low solids mass sample separation demonstration (estimate early November 2012).
- ☐ Initiate weather monitoring (estimate mid November 2012).
- ☐ Submit to USEPA the results of the third performance evaluation sample sent to Vista Analytical for organochlorine pesticide analysis (estimate early November 2012).
- ☐ Collect pre-program blanks (estimate mid November 2012).
- ☐ Complete the low solids mass dissolved phase method blank study (estimate late November 2012).
- ☐ Complete modifications to the sample collection system and trailer (estimate early December 2012).
- ☐ Complete memorandum documenting the field reconnaissance activities (estimate early December 2012).

- ☐ Submit the results of the low solids mass dissolved phase method blank study (estimate early December 2012).
- ☐ Submit revisions to the CSO/SWO Investigation QAPP to document the agreed-upon corrective action for organochlorine pesticide analysis (the addition of a second source standard), to address field modifications to the sample collection system and trailer, and to address USEPA's October 3, 2012 comments (estimate early December 2012).
- ☐ Obtain permission from PVSC to return effluent to the sample collection manhole (estimate mid December).
- ☐ Submit the results of the pre-program blank studies (estimate late December 2012).

#### **Actual or Potential Violations, Other Problems Encountered and Corrective Actions**

- ☐ None during this reporting period.

#### **Delays Encountered or Anticipated and Mitigation Actions**

- ☐ At the end of October, Hurricane Sandy made landfall in New Jersey causing unprecedented flooding and power outages throughout the State, including the City of Newark and other areas within the Passaic River drainage basin. The storm caused significant damage and disruption to PVSC, as well as to many of the businesses and industries in the CSO study area. The objective of the CSO study is to characterize the CSO effluent that is released during rainfall events under normal operating conditions. Recognizing such objective, the collection of CSO samples in November/December and possibly January 2013 will not provide data that meet the program's data use objectives. This matter was discussed with USEPA (Alice Yeh) in November 2012 and it was agreed that implementation of Phase 1 of the CSO program would be stayed until the PVSC system and the industrial/commercial and residential contributors to the PVSC system return to normal operations.